

**CHAPTER 33-06-05.4**  
**TREATMENT OF INDEPENDENT CONTRACTORS WITH SIGNIFICANT**  
**CONTAGIOUS DISEASES**

Section

33-06-05.4-01	Standards of Contracting for Independent Contractors
33-06-05.4-02	Confidentiality
33-06-05.4-03	Reasonable Accommodations

**33-06-05.4-01. Standards of contracting for independent contractors.**

No independent contractor may be terminated or prohibited from contracting with the institution solely because they have or they are perceived to have a significant contagious disease. If the independent contractor is capable of performing the work, or reasonable accommodations can be made to allow the independent contractor to perform the work, and the independent contractor does not constitute a public health threat to others, as determined by a personal physician, the independent contractor must be permitted to contract with the institution.

**History:** Effective January 1, 1991.

**General Authority:** NDCC 23-07-16.1

**Law Implemented:** NDCC 23-01-03, 23-07-16, 23-07-16.1

**33-06-05.4-02. Confidentiality.** Unless disclosed by the affected person, or their personal physician, no individual may be informed of an affected individual's infection. In order to eliminate discrimination, the local governing body should develop policies concerning the comprehensive application of universal precautions throughout the institution.

**History:** Effective January 1, 1991.

**General Authority:** NDCC 23-07-16.1

**Law Implemented:** NDCC 23-01-03, 23-07-16, 23-07-16.1

**33-06-05.4-03. Reasonable accommodations.** The institution shall consider and implement reasonable accommodations to allow the affected individual to contract as an independent contractor or to continue an existing contract as an independent contractor.

**History:** Effective January 1, 1991.

**General Authority:** NDCC 23-07-16.1

**Law Implemented:** NDCC 23-01-03, 23-07-16, 23-07-16.1